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#8

PTO/SB/36 (10-01)

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REQUEST TO RESCIND PREVIOUS  
NONPUBLICATION REQUEST  
35 U.S.C. 122(b)(2)(B)(ii)

Application Number	09/865,792
Filing Date	5/25/2001
First Named Inventor	Jean Pierre Giraud
Title	A DUAL WALL INSULATED CUP ASSEMBLY AND METHOD OF MANUFACTURING AN INSULATED CUP ASSEMBLY
Atty Docket Number	5094.056
Group Art Unit	3727
Examiner	Pollard, Steven M.

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

October 28, 2002

Date

Signature

Barry J. Schindler

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or International filling required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filling required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is **not** filed within forty-five days (45) days after the date of filing of the foreign or international application.

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box PG Pub, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)

Signature

Date

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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## OFFICE OF PETITIONS

PTO/SB/17 (10-01)

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FEE TRANSMITTAL  
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1280)

## Complete if Known

Application Number	09/865,792
Filing Date	5/25/01
First Named Inventor	Jean Pierre Giraud
Examiner Name	Steven M. Pollard
Group Art Unit	3727
Attorney Docket No.	5094.056

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity
Fee Code (\$)	Fee Code (\$)

101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	<input type="checkbox"/>	-20** =	<input type="checkbox"/>	$\times$	<input type="checkbox"/>	=	<input type="checkbox"/>
Independent Claims	<input type="checkbox"/>	- 3** =	<input type="checkbox"/>	$\times$	<input type="checkbox"/>	=	<input type="checkbox"/>
Multiple Dependent							<input type="checkbox"/>

Extra Claims	Fee from below	Fee Paid
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Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description		
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid		
105	130	205	65	Surcharge - late filing fee or oath	<input type="checkbox"/>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	<input type="checkbox"/>
139	130	139	130	Non-English specification	<input type="checkbox"/>
147	2,520	147	2,520	For filing a request for ex parte reexamination	<input type="checkbox"/>
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	<input type="checkbox"/>
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	<input type="checkbox"/>
115	110	215	55	Extension for reply within first month	<input type="checkbox"/>
116	400	216	200	Extension for reply within second month	<input type="checkbox"/>
117	920	217	460	Extension for reply within third month	<input type="checkbox"/>
118	1,440	218	720	Extension for reply within fourth month	<input type="checkbox"/>
128	1,960	228	980	Extension for reply within fifth month	<input type="checkbox"/>
119	320	219	160	Notice of Appeal	<input type="checkbox"/>
120	320	220	160	Filing a brief in support of an appeal	<input type="checkbox"/>
121	280	221	140	Request for oral hearing	<input type="checkbox"/>
138	1,510	138	1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
140	110	240	55	Petition to revive - unavoidable	<input type="checkbox"/>
141	1,280	241	640	Petition to revive - unintentional	<input type="checkbox"/>
142	1,280	242	640	Utility issue fee (or reissue)	<input type="checkbox"/>
143	460	243	230	Design issue fee	<input type="checkbox"/>
144	620	244	310	Plant issue fee	<input type="checkbox"/>
122	130	122	130	Petitions to the Commissioner	<input type="checkbox"/>
123	50	123	50	Processing fee under 37 CFR 1.17(q)	<input type="checkbox"/>
126	180	126	180	Submission of Information Disclosure Stmt	<input type="checkbox"/>
581	40	581	40	Recording each patent assignment per property (times number of properties)	<input type="checkbox"/>
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
179	740	279	370	Request for Continued Examination (RCE)	<input type="checkbox"/>
169	900	169	900	Request for expedited examination of a design application	<input type="checkbox"/>
Other fee (specify) Ext. For Filing TM Statement of Use				<input type="checkbox"/>	

Fee Paid

1280

SUBTOTAL (3) (\$ 1280)

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)	Barry J. Schindler	Registration No. (Attorney/Agent)	32,938	Telephone	212 328-6135
Signature		Date	10/28/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S):** Jean Pierre Giraud

**SERIAL NO.:** 09/865,792

**FILED:** May 25, 2001

**ATTY. DOCKET:** 5094.056

**TITLE:** **A DUAL WALL INSULATED CUP ASSEMBLY AND  
METHOD OF MANUFACTURING AN INSULATED CUP ASSEMBLY**

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EL 893731302 US

Date of Deposit: October 28, 2002

I hereby certify that the following attached paper(s) and/or fee

- (1) Request to Rescind Previous Non Publication Request  
35 U.S.C. 1229b)(2)(b)(ii);
- (2) Express Mail Certificate;
- (3) Petition to Revive Under 37 C.F.R. 1.137 (f);
- (4) Credit Card Form PTO-2038 in the amount of \$1280.00;
- (5) A self-addressed stamped postcard, return of which is requested to acknowledge receipt  
of the enclosed documents.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. Section 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Box DAC, Washington, DC 20231"

Respectfully submitted,  
**DREIER & BARITZ LLP**

  
Randi Flamenbaum

Dated: October 28, 2002

**CORRESPONDENCE:**

**DREIER & BARITZ LLP**  
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